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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,624	10/17/2003	David A. Young	BOE 0432 PA	2590
27256	7590	10/20/2005	EXAMINER DINH, TIEN QUANG	
ARTZ & ARTZ, P.C. 28333 TELEGRAPH RD. SUITE 250 SOUTHFIELD, MI 48034			ART UNIT 3644	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,624

Applicant(s)

YOUNG ET AL.

Examiner

Tien Dinh

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3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 7-9, 11, 14, 15, 17-24, 27-32, 34 and 37-41 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 6, 10, 12, 13, 16, 25, 26, 33, 35, 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.



DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7, 8, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris.

Norris discloses an aircraft having an architectural archway, an upper crown portion, a floor member, and a lower lobe portion.

Re claim 7, please note that since Norris discloses an archway that runs through the fuselage, it is inherent that the archway frames a door member.

Claims 2, 4, 9, 11, 14, 15, 17-24, 27-30, 32, 34, 37-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris in view of Robillard et al.

Norris discloses all claimed parts including the archway being hollow but is silent on the system components that run through the hollow archway so that instruments from the lower portion and upper crown portion can communicate with each others. However, Norris is silent on the system components running through his hollow archway. Robillard et al teaches that system components that run thru a hollow passageway of an aircraft is well known in the art (see figure 2).

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It would have been obvious to one skilled in the art at the time the invention was made to have ran system components through Norris' hollow archways as taught by Robillard et al to accommodate the passengers. Please note that the use of support system components in the upper and lower lobe portions are well known in this day and age. Plus it is obvious to one skilled in the arts to use support components in the upper and lower portion to accommodate the passengers.

Please note that to make a passageway integral merely involves a routine step that one skilled in the art would have taken.

Re claims 19 and 20, please note that since Norris discloses an archway that runs through the fuselage, it is inherent that the archway frames a door member. The door member would be between a pair of archway members.

Re claims 22-23, please note that the archway can be used as a divider since a person skilled in the art would put a marker in the archway to designate one end as the front and the other end as the back. Thus an archway that runs through the fuselage would divide the portions of the aircraft into different portions.

Response to Arguments

The examiner respectfully disagrees with the applicant's assertion that Norris does not show an architectural archway. However, as clearly shown in figure 2, there is an architectural archway. The interior panel forms the archway. This meets what has been claimed.

Please note that Robillard et al was used to show that system components that run thru a hollow passageway of an aircraft is well known in the art. Hence, it would have been obvious to

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one skilled in the art to run components through the hollow passageway to accommodate the passengers.

Allowable Subject Matter

Claims 3, 5, 6, 10, 12, 13, 16, 25, 26, 33, 35, and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 571-272-6899. The examiner can normally be reached on 9-6.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TD

A handwritten signature in black ink, appearing to read "Teri Luu".